

# AB 488 (Williams): Primary Battery Recycling Act

AGENDA ITEM 4E

## SUMMARY

AB 488 would create an Extended Producer Responsibility (EPR) program for non-rechargeable batteries sold in California. The program would be overseen by the California's Department of Resources Recycling and Recovery (CalRecycle).

## BACKGROUND

EPR is a policy model that shifts the primary responsibility of waste management costs from taxpayers and ratepayers to the manufacturers of specific products who, in turn, compete to reduce collection and management costs.

EPR allows producers to create their own collection system which can build on existing programs. The battery producers develop and submit to CalRecycle a Battery Stewardship Plan for approval which gives producers the flexibility for dealing with end-of-life issues for their products while harmonizing California's recycling efforts with other national and international programs.

Currently, Europe and Canada have the longest standing battery EPR programs in the world. The Swiss have what is possibly the oldest program, over 15 years, which achieves a rate of recycling of over 65%. The European Commission passed legislation in 2006 requiring member states to achieve 25% by 2012 and 45 % by 2016. As of January 28, 2013, 133 resolutions have been passed by California local jurisdictions and organizations supporting producer responsibility approach.

## NEED FOR THE BILL

In early 2006, all household batteries were classified as Universal Waste in California and banned from solid waste landfills. However, it was a "ban without a plan" so there is no statewide program for recycling primary batteries, making it difficult for consumers to find a place to recycle spent batteries. Current law, AB 1125 (2006), requires retailers to take back rechargeable batteries, however, non-rechargeable batteries account for 80% of batteries sold in California.

According to a California report, more than 150 million batteries are sold each year in the state. However, it is estimated that less than five percent of used batteries are recycled through local government household hazardous waste programs. To manage this universal waste, local governments and taxpayers pay up to \$2,700 per ton; this amounts to tens of

millions of dollars each year. AB 488 would place recycling in the hands of the private sector where competition drives down cost and reduces costs to local governments.

Low recycling rates result in valuable metals entering our landfills or stockpiled in the home; neither of which is optimal.

CalRecycle conducted a study by UC Berkeley concluding that if 100% of alkaline batteries were recycled, the state would save 1,350 metric tons of carbon dioxide equivalent (CO<sub>2</sub>e) emissions, which could be critical in helping California meet its AB 32 goals.

## THE BILL

AB 488 would require non-rechargeable battery producers to design, fund and operate a stewardship program to properly manage batteries in order to sell their products in California. Specifically, the bill would require:

- 1) A producer or group of producers to submit a plan to CalRecycle
- 2) CalRecycle to review and approve the plan
- 3) Producers to meet the recycling rate and date thresholds established in their plan
- 4) Producers to file an annual report with CalRecycle describing the activities carried out pursuant to the plan during the previous year ensuring a transparent program

Producer responsibility will not only make recycling more convenient for consumers and provide a harmonized program publicized statewide, but it will also create incentives for producers to design safer products that have fewer environmental impacts.

## SUPPORT

- California Product Stewardship Council (Sponsor)

## OPPOSITION

- None on file

## FOR MORE INFORMATION

Leslie Villegas  
Office of Assemblymember Das Williams  
(916) 319-2404  
[Leslie.villegas@asm.ca.gov](mailto:Leslie.villegas@asm.ca.gov)